October 19, 2001 Mailing Date PATEN

Attorney Docket No. IDD-5657CIP2 1417Y P 606

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Utility Patent Application of: Certificate of Express Mailing I hereby certify that this correspondence is being deposited Jane Werling, James E. Kipp, Rajaram with the United States Postal Service with sufficient Sriram, and Mark J. Doty) postage as Express Mail, Post Office to Addressee, in an envelope addressed to: Assistant Commissioner for Patents, BOX PATENT APPLICATION, Washington, For: METHOD FOR PREPARING SUBMICRON SUSPENSIONS WITH POLYMORPH CONTROL Mailed: October 19, 2001) EL831512085US) Express Mail Label No.

PATENT APPLICATION TRANSMITTAL

BOX PATENT APPLICATION Commissioner for Patents Washington, D.C. 20231

Dear Sir:

Transmitted herewith for filing under 35 U.S.C. §111(a) and 37 C.F.R. 1.53(b) is a new utility continuation-in-part patent application for a "Method for Preparing Submicron Suspensions with Polymorph Control."

This application is a continuation in part of application serial No. 09/953,979 filed on September 17, 2001 which is a continuation in part of application No. 09/874,637 filed on June 5, 2001, which claims priority from provisional application serial number 60/258,160 filed December 22, 2000.

X 54 pages of Specification, including 66 Claims and an Abstract

None Sheets of Drawings

X Unexecuted Declaration and Power of Attorney

The filing fee has been calculated as shown below, which will be submitted in response to the Notice to File Missing Parts of Application.

			Small Entity			
For:	No. Filed	No. Extra	Rate		Fee	
Basic Fee		er effect		\$	370	
Total Claims	66 - 20 =	46	x 9 =	\$	0	
Indep. Claims	4 - 3 =	1	x42 =	\$	0	
☐ First Presentation of Multiple Dependent Claim			x140 =	\$	0	
			Total	\$	0	

Other Than A					
Small Entity					
Rate		Fee			
	\$	740			
x 18 =	\$	828			
x 84 =	\$	84			
x280=	\$	0			
Total	\$	1652			

or

or

or

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-0280. A duplicate copy of this sheet is attached.

Any additional filing fees under 37 C.F.R. § 1.16.

Any patent application processing fees under 37 C.F.R. § 1.17.

Respectfully submitted,

Date: October 19, 2001

Jøseph A. Fuchs, Reg. No. 34,604

Wallenstein & Wagner, Ltd. 311 S. Wacker Drive, 53rd Floor Chicago, Illinois 60606-6630

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jlg/133057.1

EXPRESS MAIL CERTIFICATION

In Re U.S. Patent Application

Applicant(s):

Jane WERLING, James E. KIPP, Rajaram SRIRAM, and Mark

J. DOTY

Filing Date:

October 19, 2001

Entitled:

METHOD FOR PREPARING SUBMICRON SUSPENSIONS

WITH POLYMORPH CONTROL

Attorney Docket No.:

IDD-5657CIP2

Enclosures:

Return Receipt Postcard;

Express Mail Certification;

• Patent Transmittal Letter (in duplicate); and

• 54-Page Patent Application (including 66 Claims and Abstract).

I HEREBY CERTIFY THAT THIS PAPER AND THE ABOVE DOCUMENTS ARE BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS EXPRESS MAIL IN AN ENVELOPE ADDRESSED TO:

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DATED: October 19, 2001

Heather M. Pishko

Heather M. Pishla

PLEASE ADDRESS ALL FUTURE COMMUNICATIONS TO:

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